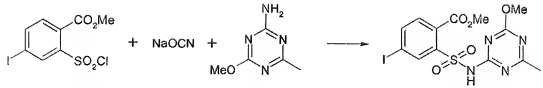
DECLARATION FOR 2002/M208 US

DECLARATION UNDER 37 CFR 1.132

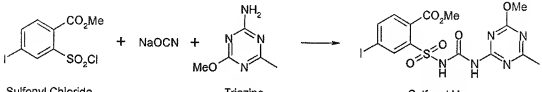
1. I, Dr. Mark Ford, state, that I am a resident of D-61389, Oberreifenberg, Federal Republic of Germany; that I am a citizen of United Kingdom; that I am a Chemist having graduated at Organic Chemistry from University of Manchester in 1985; from 1985 to 1988 I undertook research at the University of Manchester leading to the award of my PhD; from 1988 to 1990 I undertook chemical researcher at Imperial College, London; that from 1990 to 1992 I was an employee in the Biochemical Synthesis Department of Schering Agrochemicals Ltd; that since 1993 I was an employee in the Process Development Department of AgrEvo UK Limited and that from 1996 I am an employee in the Process Development Department of Hoechst Schering AgrEvo GmbH, Berlin, Germany; now Bayer CropScience AG, Frankfurt, Germany; that I am in charge of Process Research in the Chemical Process Development Department of Bayer CropScience AG at their facilities in Frankfurt; that I am familiar with U.S. Patent Application Serial No. 10/511,968 filed August 26, 2005 for METHOD FOR PRODUCING SUBSTITUTED PHENYLSULFONYL UREA, that I consider myself qualified by my knowledge of organic synthesis and by my 25 years experience in this field; and that I have made the following observations to wit:

2. The following experiments were carried out under my supervision and direction:

(A) A repetition of the conditions found in EP 0 759 431 namely that the sulfonyl chloride and sodium cyanate are premixed in acetonitrile at room temperature and pyridine is added over 1 hour. After 4 hours the triazine is added and the reaction stirred at room temperature until reaction was complete. Work-up afforded 78% of the unexpected sulfonamide rather than the expected sulfonyl urea.



(B) When however the sulfonyl chloride and sodium cyanate are first reacted at 20°C with the pyridine and then the acetonitrile removed by distillation and replaced with xylene and the triazine added in ethyl acetate, then reaction at 55-60°C affords 78% yield of the desired sulfonyl urea.



3. The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Signed at Frankfurt, this 15 day of April, 2010.

Mark Ford